

REMARKS

Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested. The applicants have reviewed the First (Non-Final) Office Action of July 30, 2004, and respectfully assert that this paper is responsive to all points raised therein.

I. Status of the Claims

Claims 1-42 are presently pending. Claims 1-4, 7, 13, and 15-18 have been amended.

Claims 1 and 15 have been amended as detailed below. Claims 2-4 and 16-18 have been amended editorially for purposes of clarity, while claims 7 and 13 have been amended to be consistent with the claims on which they depend.

II. Allowable Subject Matter

The applicant notes the Examiner's allowance of claims 22-25 and 36-42. Also noted is the indication of allowable subject matter of claims 3, 4, 7-9, 12, 13, 17, 18, 20, 21, 29, 30, 34 and 35, that were objected to, but allowable if rewritten to include the limitations of the claims on which they are based.

III. Rejections Under 35 USC 102

Claims 1, 2, 5, 6, 10, 11, 14-16, 19, 26-28 and 31-33 were rejected under 35 USC 102(b) as anticipated by Shambeau, et al. (U.S. Patent No. 6,065,917) (Shambeau).

Independent claim 1, as currently amended, is directed to structure including a handle having a D-shaped ring member configured to be rotatably coupled to a substrate member and for communication with a latch actuator. Independent claim 15, is similar to claim 1, in that it is

directed to structure including a handle including a ring member configured for being rotatably coupled to a faceplate and for communication with a latch actuator. For example, as a result of this structure, the ring members, once moved outward, may be rotated along circular or semi-circular paths to disengage latches, for doors, cabinets and the like.

Shambeau discloses a D-ring device, whose D-ring 44 is moved outward to receive straps. The D-Ring seats in a receptacle member 32, where it can be moved outward, in order to attach straps. This reference is silent as to using the ring with latching structures.

Shambeau fails to show teach or suggest any structure associated with its ring for use with latch actuating structure, and is in contrast to the claimed invention. Accordingly, claims 1 and 15 are neither anticipated nor obvious under 35 USC 102(b) or 103(a) in view of Shambeau.

Since independent claims 1 and 15, are neither anticipated nor obvious under 35 USC 102(b) or 103(a) in view of Shambeau, claims 2-14 and 26-30; and 16-21 and 31-35, respectively dependent thereon, are also allowable over Shambeau for the same reasons. These claims further distinguish the invention over the art of record.

IV. Conclusion

The applicant notes the Examiner's objections to claims 3, 4, 7-9, 12, 13, 17, 18, 20, 21, 29, 30, 34 and 35, as including allowable subject matter. The applicant reserves all rights in these claims, as well as the independent claims on which they are based, all claims prior to the date of the First Office Action (to which this paper is a response), to file divisional and/or continuation patent applications.

Should the Examiner have any questions or comments as to the form, content, or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below.

Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Allowance of all pending claims, 1-42, is respectfully requested.

Respectfully submitted,

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